

COMBINED DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER
19603/1420 (CRF D-1997)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below)
or an original, first and joint inventor (if plural names are listed below)
of the subject matter which is claimed and for which a patent is sought on the invention
entitled:

METHOD FOR SEPARATING CELLS

the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as United States application Serial No. 08/787,788
on January 23, 1997.

☐ was filed as PCT international application Number _____
on _____ and was amended under PCT Article 19 on _____
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified
specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of
this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any
foreign application(s) for patent or inventor's certificate or of any PCT international
application(s) designating at least one country other than the United States listed below
and have also identified below any foreign application(s) for patent or inventor's
certificate or any PCT international application(s) designating at least one country other
than the United States of America filed by me on the same subject matter having a filing
date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (IF PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States
application(s) or PCT international application(s) designating the United States of
America that is/are listed below and, insofar as the subject matter of each of the claims
of this application is not disclosed in that/those prior application(s) in the manner
provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the
duty to disclose material information as defined in Title 37, Code of Federal Regulations,
§ 1.56(a) which occurred between the filing date of the prior application(s) and the
national or PCT International filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT
UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)		

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DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY (Continue)

ATTORNEY'S DOCKET NUMBER
19603/1420 (CRF D-1997)

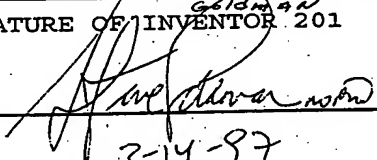
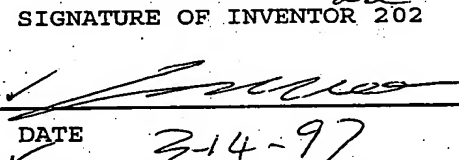
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number) Susan J. Braman, 34,103; Peter Rogalskyj, 38,601; Michael L. Goldman, 30,727; Karla Weyand, 40,223

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Susan J. Braman
(716) 263-1636

2 0 1	FULL NAME OF INVENTOR	FAMILY NAME Goldman	FIRST GIVEN NAME Steven	SECOND GIVEN NAME A.
	RESIDENCE & CITIZENSHIP	CITY South Salem	STATE/FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	P.O. ADDRESS 7 Hillcrest Court	CITY South Salem	STATE & ZIP CODE/CTRY New York 10590/USA
2 0 2	FULL NAME OF INVENTOR	FAMILY NAME Wu	FIRST GIVEN NAME Hong	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY New York	STATE/FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP Peoples Republic of China
	POST OFFICE ADDRESS	P.O. ADDRESS 77 West 15th Street, Apt. 6S	CITY New York	STATE & ZIP CODE/CTRY New York 10011/USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 	SIGNATURE OF INVENTOR 202 	SIGNATURE OF INVENTOR 203
DATE 3-14-97	DATE 3-14-97	DATE

ROC10:103976

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American Type Culture Collection

12301 Parklawn Drive, Rockville, Maryland 20852-1776 USA

SINCE 1925, AN INDEPENDENT, NOT-FOR-PROFIT ORGANIZATION DEVOTED TO THE PRESERVATION AND DISTRIBUTION OF REFERENCE CULTURES

January 27, 1997

Dr. Steven A. Goldman
Department of Neurology and Neuroscience
Cornell University Medical Center
1300 York Avenue
New York, NY 10021

Dear Dr. Goldman:

It is the policy of the ATCC to return a frozen sample of any culture originally provided to us as a growing culture (e.g. test tube or flask), or in those cases where less than the required number of samples were provided and we were asked to make additional material.

We wish to ensure that the cultures preserved at the ATCC retain the correct properties and are the same as the material originally sent to us.

Cultures of ATCC 98298 and 98299 will be sent to you within a few weeks. Please examine the cultures and return the enclosed postcard to me at your earliest convenience.

Sincerely,

Barbara M. Hailey
Barbara M. Hailey
Administrator, Patent Depository

bmh

Enclosure

cc: Susan J. Braman

AFFILIATED ORGANIZATIONS

American Association of Immunologists • American Institute of Biological Sciences • American Phytopathological Society • American Society for Biochemistry and Molecular Biology • American Society for Cell Biology • American Society for Microbiology • American Society for Virology • American Society of Human Genetics • American Society of Parasitologists • American Society of Tropical Medicine and Hygiene • American Society of Zoology • Canadian Federation of Biological Societies • Canadian Society of Microbiologists • Genetics Society of America • Infectious Diseases Society of America • Mycological Society of America • National Research Council • National Academy of Sciences • Pharmaceutical Research and Manufacturers of America • Society for Leukocyte Biology • Society for In Vitro Biology • Society for Industrial Microbiology • Society of Protozoologists

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Cornell University Medical Center
Attn: Dr. Steven A. Goldman
Dept. of Neurology & Neuroscience, 1300 York Avenue
New York, New York 10021

Deposited on Behalf of: Cornell Research Foundation, Inc. (Docket #CRF D-1997)

Identification Reference by Depositor:

ATCC Designation

Escherichia coli pTα1-RSGFP
E. coli pTα1-GFP

98298

98299

The deposits were accompanied by: ___ a scientific description X a proposed taxonomic description indicated above.

The deposits were received January 21, 1997 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

X We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested January 24, 1997. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: January 25, 1997

cc: Susan J. Braman, Esq.
H. Walter Haeussler

BP4:W

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